

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Oct 30, 2020

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

STATE OF WASHINGTON, STATE OF
COLORADO, STATE OF
CONNECTICUT, STATE OF ILLINOIS
STATE OF MARYLAND, STATE OF
MICHIGAN, STATE OF MINNESOTA,
STATE OF NEVADA, STATE OF NEW
MEXICO, STATE OF OREGON, STATE
OF RHODE ISLAND, STATE OF
VERMONT, COMMONWEALTH OF
VIRGINIA, and STATE OF
WISCONSIN,

Plaintiffs,

v.

DONALD J. TRUMP, in his official
capacity as President of the United States
of America; UNITED STATES OF
AMERICA; LOUIS DEJOY, in his official
capacity as Postmaster General; UNITED
STATES POSTAL SERVICE,

Defendants.

No. 1:20-CV-03127-SAB

**ORDER REGARDING
ELECTION MAIL**

1 Whereas, postal facilities already conduct daily “all clears” to identify all
2 Election Mail in the facility and ensure that it is processed in a timely way,

3 Whereas, USPS collects reports from facilities regarding daily “all clear”
4 activity,

5 It is **ORDERED** that:

6 1. Starting November 1, 2020 and continuing through November 10,
7 2020, each day by 10:00 AM Pacific Time, USPS shall report to the Court the prior
8 day’s “all clear” status for each facility and processing center in the Detroit and
9 Lakeland Districts;

10 2. By 1:00 PM Pacific Time each day, USPS shall provide an
11 explanation for any facility that fails to report or that reports non-compliance;

12 3. If USPS identifies any incoming ballots in its “all clear” processes in
13 these facilities from the date of this order through Election Day, it shall make every
14 effort to deliver those ballots by 8:00 PM local time on Election Day as required by
15 Michigan and Wisconsin law, including by using Priority Mail Express and/or
16 other extraordinary measures;

17 4. If USPS identifies any outgoing ballots in its “all clear” processes in
18 these facilities between the date of this order and November 1, 2020, it shall make
19 every effort to deliver those ballots to voters on or before November 2, 2020,
20 including by using Priority Mail Express or other extraordinary measures.

21 //

22 //

23 //

24 //

25 //

26 //

27 //

28 //

1 5. Counsel for Plaintiffs shall have reasonable access to USPS facilities
2 to monitor compliance with the Court's orders. The parties' counsel shall attempt
3 to reach agreement on any inspection requests. If they cannot reach agreement, the
4 parties may bring requests to the Court.

5 **IT IS SO ORDERED.** The Clerk of Court is directed to enter this Order
6 and forward copies to counsel.

7 **DATED** this 30th day of October 2020.



13
14

A handwritten signature in blue ink, reading "Stanley A. Bastian", is written over a horizontal line.

15 Stanley A. Bastian
16 Chief United States District Judge
17
18
19
20
21
22
23
24
25
26
27
28